

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3085 OF 2021
IN**

WRIT PETITION NO. 2995 OF 2013

WITH

WRIT PETITION NO. 2995 OF 2013

Subhash M. Saindanvise	}	Applicant
in the matter between		
Bharat Sanchar Nigam Ltd.	}	Petitioner
Versus		
Subhash M. Saindanvise	}	Respondent

Mr. Sunil Karoth for the applicant.

Ms. Neeta V. Masurkar for respondent/original petitioner.

**CORAM :- DIPANKAR DATTA, CJ &
M. S. KARNIK, J.**

DATE :- OCTOBER 27, 2021

PC :-

1. During the pendency of the writ petition, wherein a judgment and order dated 10th February 2012, passed by the Central Administrative Tribunal, Mumbai Bench, Mumbai (hereafter "the Tribunal" for short) has been challenged, the respondent (original applicant before the Tribunal) has been subjected to transfer by an order dated 30th September 2021. By such order, the original applicant has been transferred to Daund.

2. By presenting this interim application, the respondent (original applicant) prays for stay of the order of transfer.
3. Ms. Masurkar, learned advocate for the writ petitioners (respondents in the original application) is right in her objection that the order of transfer affords the respondent (original applicant) a fresh cause of action to move the Tribunal.
4. We do not propose to entertain this interim application upon upholding the aforesaid objection and dispose of the same with liberty to the original applicant to pursue remedies in accordance with law for appropriate reliefs.
5. The writ petition shall be listed on **1st December 2021** (fairly high on Board).

SALUNKE
J V

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by SALUNKE J V
Date: 2021.10.28
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(M. S. KARNIK, J.)

(CHIEF JUSTICE)